



Atty. Dkt. No. 027668-0108

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Fred H. MILLER

Title: Multi-Phase, Multi-Compartment Capsular Delivery Apparatus and Methods for Using Same

Appl. No.: 10/804,576

Filing Date: 03/19/2004

Examiner: Aradhana Sasan

Art Unit: 1609

Confirmation 7069

Number:

**AMENDMENT TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

The fee required for additional claims is calculated below:

	Claims As Amended	Previously Paid For	Extra		Rate	\$	Claims Fee
			Claims Present	Claims x			
Total Claims:	145	-	141	=	4		\$200.00
Independent Claims:	11	-	11	=	0		\$0.00
First presentation of any Multiple Dependent Claims:				+	\$360.00		\$0.00
					CLAIMS FEE TOTAL	=	\$200.00

[ ] Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

[ ] Extension for response filed within the first month:	\$120.00	\$0.00
[ ] Extension for response filed within the second month:	\$450.00	\$0.00
[ ] Extension for response filed within the third month:	\$1,020.00	\$0.00
[ ] Extension for response filed within the fourth month:	\$1,590.00	\$0.00
[ ] Extension for response filed within the fifth month:	\$2,160.00	\$0.00
	EXTENSION FEE TOTAL:	\$0.00
[ ] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
	CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:	\$200.00
[ ] Small Entity Fees Apply (subtract ½ of above):		\$0.00
	Extension Fees Previously Paid:	\$0.00
	TOTAL FEE:	\$200.00

A credit card payment form in the amount of \$200.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date

*Sept 26, 2008*

Respectfully submitted,

By

*Martin J. Cosenza*  
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Atty. Dkt. No. 027668-0108

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: **Fred H. MILLER**

Title: **MULTI-PHASE, MULTI-COMPARTMENT  
CAPSULAR DELIVERY APPARATUS AND  
METHODS FOR USING SAME**

Appl. No.: **10/804,576**

Filing Date: **3/19/2004**

Examiner: **Aradhana Sasan**

Art Unit: **1609**

Confirmation **7069**

Number:

**AMENDMENT AND REPLY UNDER 37 CFR 1.111**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated July 9, 2007, concerning the above-referenced patent application.

**Amendments to the Specification** begin on page 2 of this document.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 33 of this document.

**Remarks/Arguments** begin on page 60 of this document.

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Please amend the application as follows: